

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION OF : Diane K. Smith
FOR : Software for Financial Institution Monitoring and
Management

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DECLARATION UNDER 37 CFR 1.131

Box AF
Commissioner for Patents
Washington, D.C. 20231

SIR:

I, Paul E. Kaboth, hereby declare:

1. I am the supervisor of the inventor, Diane K. Smith, of U.S. Patent Application 09/965,981 entitled "Software for Financial Institution Monitoring and Management," this application has been assigned to Federal Reserve Bank.
2. I have no interest in this application.
3. I was supervising the inventor while she worked on the subject matter of claims 1-12, the method for assessing risk for a financial institution. The first version was completed and moved into production on August 4, 1999.
4. I observed the subject matter of claims 13-14, 16-17, and 26-28 being implemented on May 4, 1999.
5. I also supervised and observed that the subject matter of claims 15, 28-29, and 18-25 was implemented on September 29, 2000. I have reviewed Exhibit 4 and confirmed it is a screen snapshot showing those features from a Pending Project screen. On the right column after the comments section, the subject matter of claims 15, 28-29, early warning alerts is the last line under the heading MAJOR INITIATIVES and the subject matter of claims 18-25 NED Forms is shown as the third line under MAJOR INITIATIVES.

6. I have viewed exhibits 5, 6, and 7, copies of announcements for the release of SuperLink V 2.7 on September 29, 2000 announcing the additional features added to the software. I can confirm that these additional features, including the features of claims 15, 28-29 and 18-25 were implemented on or before September 29, 2000.

7. I have viewed Exhibit 10 and can confirm that this is a document giving a tour of the NED Database (National Examination Database). The document was created on or before February 24, 2000. This exhibit illustrates the method for tracking at least one of an examination and an inspection of a financial institution utilizing a computer based system, the subject matter of claims 18-29.

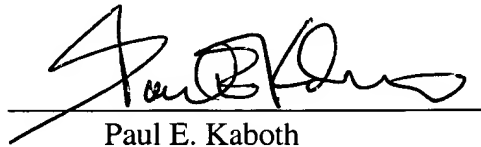
8. I have viewed and can confirm that exhibit 12 is a copy of the General Description of SuperLink Versions and Enhancements. This document was generated during the normal course of business.

9. To the best of my knowledge, the subject matter of claims 1-12 was reduced to practice on August 4, 1999, the subject matter of claims 13-14, 16-17 and 26-28 was reduced to practice on May 4, 1999, the subject matter of claims 15, 28-29 on September 29, 2000, and the subject matter of claims 18-25 was reduced to practice on September 29, 2000. Revisions and enhancements continued until the date the provisional application was filed on June 8, 2001 and continued afterwards.

13. It should be noted that all of the data in the attached exhibits were screen snapshots used for training purposes, and is fictitious.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Executed on April 2, 2003 in Cleveland, Ohio.


Paul E. Kaboth
Assistant Vice President